

Flowers  
Collection

[HOUSE BILL.]

HOUSE OF REPRESENTATIVES, Dec. 28, 1863.—Read first and second times and referred to the Committee on the Quartermaster and Commissary Departments. Jan 13, 1864.—Reported back, placed on the Calendar, and ordered to be printed.

[By Mr. GARLAND.]

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## A BILL

To be entitled An Act to suppress abuses in the Quartermaster and Commissary Departments of the army.

1 SECTION 1. *The Congress of the Confederate States of America do*  
2 *enact*, That the President, by and with the advice and consent of  
3 the Senate, shall appoint, for each military department, one *com-*  
4 *petent* person, to be styled inspector of such department, who  
5 shall be commissioned, and have the rank, pay and allowances of  
6 colonel of cavalry; and two assistants, who shall also be com-  
7 missioned, and have the rank, pay and allowances of captains of  
8 cavalry, and be styled assistant inspectors of such department.  
9 Such inspectors of department shall be allowed two clerks, and  
10 such assistant inspectors shall be allowed one clerk each, which  
11 clerks, for their services, shall be allowed the sum of  
12 dollars per month, and rations, each.

1 SEC. 2. Each of said inspectors and assistant inspectors shall,  
2 before entering upon the discharge of their duties, take and sub-

3 scribe the following oath: "I, \_\_\_\_\_, having  
 4 been duly appointed and commissioned inspector (or assistant in-  
 5 spector, as the case may be,) of (such) department of the army  
 6 of the Confederate States of America, do solemnly swear that I  
 7 will, in all things, according to my best ability and understand-  
 8 ing, faithfully and impartially discharge the duties of my said  
 9 office, as required by law, without fear, favor, affection or ill-  
 10 will; so help me God." Which oath may be taken before any  
 11 judicial officer having authority to administer oaths, and shall be  
 12 endorsed-upon his commission, and a duplicate thereof filed in  
 13 the office of the Secretary of War.

1 SEC. 3. It shall be the duty of each inspector of department,  
 2 with the aid and assistance of their assistants, from time to time,  
 3 and at least as often as once in every fiscal quarter, carefully and  
 4 thoroughly to examine and inspect the official affairs of every  
 5 quartermaster and commissary within his department, as well  
 6 those serving at posts and departments as those serving with  
 7 any army, army corps, division, brigade, regiment, battalion or  
 8 detachment of troops, in the field. In such inspections, said in-  
 9 spectors and their assistants, shall ascertain the amount of  
 10 money and property received by each such quartermaster and  
 11 commissary, for or on the account of the Government, when,  
 12 where, and from whom received; if money, the kind of funds re-  
 13 ceived; if property found, not in the possession of any person,

14 when, where, and under what circumstances found, and when  
15 entered upon their rolls; amount of money expended, for what  
16 expended, when expended, to whom paid, and the amount re-  
17 maining on hand, carefully examining every voucher, and where  
18 any doubt arises, requiring additional proof in relation thereto,  
19 noting all defects and deficiencies. They shall, in person, care-  
20 fully examine and inspect the property and all accounts of every  
21 such quartermaster and commissary, noting the number, kind,  
22 and character of property, and the condition thereof, and also  
23 examine every invoice, receipt, roll, bill or other voucher, in re-  
24 lation to such property, and if alleged by any such quartermas-  
25 ter or commissary, to have been by him purchased, noting  
26 the price of each article, when, where, and of whom purchased;  
27 and as to property turned over by other officers, when, where,  
28 and by whom turned over, comparing the articles with the in-  
29 voices; and as to property found and taken up upon roll, com-  
30 paring such property with such roll, in every such case noting  
31 any deficit or discrepancy. And in case of any deficiency,  
32 inquire into the manner in which such deficiency occurred,  
33 examining the vouchers therefor. And where it shall be alleged  
34 that such deficit has occurred by death, by being worn out,  
35 captured by the enemy, abandoned, or expended, such inspectors  
36 and their assistants shall have the right to demand, and in case  
37 of doubt, shall demand evidence other than the statement or cer-

38 tificate of any such quartermaster or commissary. Such  
39 inspectors and their assistants shall also carefully examine into  
40 the accounts and vouchers of all such quartermasters and com-  
41 missaries, and into their manner of transacting business, and  
42 keeping accounts thereof, and if they, in all respects, conform  
43 to the requirements of the army regulations and orders as to  
44 their several departments, noting all variations from, and viola-  
45 tions of, the same. They shall also inquire whether any such  
46 quartermaster or commissary has, himself, or by or through any  
47 clerk, sergeant, agent, partner, attachee, employee, or any other  
48 person been engaged, either directly or indirectly, in any specu-  
49 lation in any commodity or article of property whatsoever; and  
50 whether any such quartermaster or commissary has bet any  
51 money or property upon any game whatsoever. They shall also  
52 ascertain the names of all persons in service with every such quar-  
53 termaster and commissary, the nature of the service performed  
54 by each, whether as clerk, sergeant, agent, messenger, courier,  
55 wagon-master, forage-master, teamster, butcher, laborer or servant,  
56 and the company and regiment to which each belongs, or if still a  
57 citizen within the ages of conscription, and whether such per-  
58 sons are, or are not, apparently able-bodied men fit for service in  
59 the ranks. Such inspectors and their assistants shall also  
60 ascertain, within their respective departments, the names and  
61 locality of all men unfit from any cause for service in the ranks,



62 and who are fit, and willing, to take service in either of the  
63 departments of quartermaster or commissary, and their qualifi-  
64 cations for such service. They shall also inquire into the manner  
65 in which the supplies and issues are obtained, and made by such  
66 quartermasters and commissary's; whether issues are made reg-  
67 ularly, in sufficient quantities, and of proper quality, and if not,  
68 the cause or causes therefor.

1 SEC. 4. Every quartermaster and commissary shall, upon the  
2 demand of the inspector or either of the assistant inspectors of  
3 the department within which he is serving, afford to such  
4 inspector or assistant inspector every necessary facility, aid and  
5 information, to enable them to make the inspections by this act  
6 required; and shall exhibit to such inspector or assistant  
7 inspector, all their public moneys, official books and papers of  
8 every kind whatsoever; and upon refusal so to do, shall be  
9 immediately reported to his commanding officer, who shall  
10 without delay, place him in arrest, and cause him to be tried by  
11 a court martial upon charge for disobedience of orders, and the  
12 inspector shall proceed with his inspection, so far as he can,  
13 without the assistance of such quartermaster or commissary.

1 SEC. 5. The assistant inspectors shall be subject to the orders  
2 and directions of the inspector of the department within which  
3 they serve, and the Secretary of War may, at such times as he  
4 may deem advisable, cause such inspectors and assistant inspec-

5   tors to alternate, from one department to another, in performing  
 6   the duties required of them by this act. Each inspector and  
 7   assistant inspector, in case of such alternation, shall have the  
 8   same powers and rights, and shall perform the same duties in the  
 9   department to which he shall be thus sent, as in the department  
 10  for which he may have been appointed.

1    SEC. 6   Each inspector of department shall make full and  
 2   particular detailed reports of all inspections made by himself  
 3   and his assistants, to the Secretary of War; which reports shall  
 4   be in duplicate, one to be forwarded to the Secretary of War, and  
 5   the other to be delivered to the commander of the department  
 6   within which such inspection shall have been made.

1    SEC. 7. If it shall appear by any such report, of any inspector  
 2   of department, that any quartermaster or commissary in such  
 3   department has been guilty of any malfeasance in office, or shall  
 4   have been in any way, directly or indirectly, engaged in any  
 5   speculation in any commodity or property whatsoever, or shall  
 6   be guilty of embezzling any property or money of the Govern-  
 7   ment, or shall be a defaulter to the Government for any amount,  
 8   or shall have bet any money or property upon any game, or shall  
 9   have been interested in any such bet, or shall be for any cause  
 10  incompetent for the discharge of his official duties, or shall be  
 11  addicted to drunkenness; it shall be the duty of the commander  
 12  of such department to cause any such quartermaster or commis-

13 sary to be immediately suspended from the performance of the  
 14 duties of his office, placed in arrest, and tried by a court martial  
 15 upon charges to be preferred by any such inspector, or assistant  
 16 inspector, or any other commissioned officer; and if, upon trial,  
 17 any such quartermaster or commissary shall be found guilty of  
 18 any embezzlement of any money, or property of the Government,  
 19 or found to be a defaulter to the Government, or of having been  
 20 so engaged in any speculation, or to have bet money or property  
 21 upon any game, or been interested in any such bet, he shall be  
 22 cashiered; and if found to be incompetent to discharge the duties  
 23 of his office, by reason of mental incapacity, ignorance, want of  
 24 business qualifications, or intemperate habits, he shall be dis-  
 25 missed from his office, and in all such cases of conviction they  
 26 shall be immediately conscribed and placed in the ranks of the  
 27 infantry, if within the ages of conscription, and physically able  
 28 for duty in that arm of service; if not so able, they shall be put  
 29 to such service, as a private, as they may be physically able to  
 30 perform, and suit shall be instituted against their securities upon  
 31 their official bonds for any default whatsoever, which may be  
 32 within the condition of such bond.

1     Sec. 8. If it shall appear by any such report of inspection,  
 2     that there are able-bodied men in the employ of any such  
 3     quartermaster or commissary, and that there are in such depart-  
 4     ment, disabled men, who are qualified, and willing to perform

5 the duties in said quartermaster and commissary departments,  
 6 the department commander shall cause such able-bodied men, if  
 7 belonging to companies, to be at once returned to their respect-  
 8 ive commands, when practicable, if not practicable, by reason  
 9 of the absence of such command from such department, or if  
 10 such able-bodied men do not belong to any command, and are  
 11 within the ages of conscription, such department commander  
 12 shall cause them to be placed in service with some company within  
 13 his department, and the places of all such able-bodied men shall  
 14 be supplied by such disabled men, or men not fit for service in  
 15 the ranks, as may be able and qualified for such service.

1 SEC. 9. The terms quartermaster and commissary, as used in  
 2 this act, shall be held to include officers of any rank, in these  
 3 several departments who are exercising the functions of each  
 4 office.

1 SEC. 10. It shall not be necessary for any of said inspectors,  
 2 or their assistants, to give to any quartermaster or commissary,  
 3 any notice of any such inspection, but such inspections may be  
 4 made at such time as may be most convenient in the course of  
 5 the performance of inspection duties, avoiding unnecessary  
 6 inconvenience, to any such quartermaster or commissary.

1 SEC. 11. If any such inspector, or assistant inspector, after  
 2 having entered upon the discharge of his duties as such, shall  
 3 wilfully fail, neglect, or refuse to make the inspections and



4 reports thereof, or any one of either, as required by this act, or  
 5 shall through any fear, favor, or affection, or for any reward, or  
 6 the promise or hope thereof, fail, neglect, or refuse to make true  
 7 and faithful reports of acts of malfeasance, defaults, embezzle-  
 8 ments, or other improper acts in office, by any such quartermas-  
 9 ter or commissary, whose affairs it shall become his duty to  
 10 inspect, as provided by this act, or if any such inspector, or  
 11 assistant inspector, shall, through any ill-will, prejudice, or for  
 12 any other cause, wilfully make any false report as to any such  
 13 matters, he shall, upon conviction thereof, by a court martial, be  
 14 cashiered, or suffer such other punishment as may be adjudged  
 15 by the court trying the case.

1     SEC. 12. It shall be the duty of the Secretary of War to cause  
 2 the inspections, and the reports thereof, required by this act,  
 3 to be promptly made, according to form, as he may prescribe.

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#### AMENDMENT.

Amend the first section by adding at the end the following :

1     The chief inspectors, their assistant and clerks, to be appointed  
 2 under this act, shall be appointed from disabled soldiers or officers  
 3 or persons not liable to military service, if practicable to obtain  
 4 them.

